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LEGAL AND CONSTITUTIONAL POWERS OF CIVIL GOVERNMENT IN RELATION TO EDUCATION.

BY

HON. P. EMORY ALDRICH.

PUBLISHED BY THE STATE BOARD OF EDUCATION.

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ALBERT J. WRIGHT, PRINTER,
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AN ADDRESS DELIVERED BEFORE THE MASSACHUSETTS STATE TEACHERS' ASSOCIATION, DECEMBER 28, 1877.

MR. PRESIDENT: I have not ventured to appear before this association of teachers for the purpose of discussing questions relating to systems or methods of instruction with which you are familiar and I am not. The single object I have in view is to submit some considerations upon what may properly enough be called the legal or constitutional powers of civil government, as established among us, in relation to the subject of popular education.

What may the State do, and what ought it to do, to provide for and promote the education of the people? *First*, what are we to understand by the term State? With the citizens of a self-governing Commonwealth like ours, the word has no such limited meaning as would satisfy the subjects of a government resting upon a narrower basis than the free consent of the governed.

Nor is the word employed in our question a synonyme for government or administration. The forms of government change; administrations follow each other in rapid succession; the policy of the controlling majority of to-day may be repudiated by that of to-morrow; but the State remains, through all these vicissitudes, unchanged, indestructible, and immortal. France, though rent by a century of revolution and counter-revolution, has never lost its identity; but through and after every convulsion has continued to be the same France still, and, through all changes of dynasties, has maintained its place as one of the States of Europe. And England, whether under the reign of a Tudor or a Stuart, or controlled by the stalwart arm

of a Cromwell, has, in the steady growth of a thousand years, no more lost her individuality, than has one of the sturdy oaks springing from her soil and numbering as many years. And to use a single other illustration, this ancient Commonwealth, in the comprehensive and true sense of the term, has been and remained the same State or jural society throughout her colonial, provincial, provisional, and constitutional periods.

A distinguished representative of this State, in a speech of great eloquence and true historical insight, delivered a few months since in the National House of Representatives on the presentation from Massachusetts to the United States of the statues of John Winthrop and Samuel Adams, said, "When John Winthrop died, in 1649, the colony of which he had been the foremost planter was firmly established as a Christian *State*."

And this was true, although, as every reader of our colonial history knows, the colony had then been in existence only nineteen years, and scarcely more than twenty of the more than three hundred towns now found on the map of the State had then been organized, and these twenty were occupied by only a few thousand inhabitants; yet not only had a colony been planted, but a State had been formed: the germinal life of a great commonwealth was already manifest. The college, the public schools, the church, the town-meeting, had all at that early period been instituted, and became, and have ever since remained, great factors in the material and intellectual development of a State which has no superior and few equals among the civil and political communities of men. But let us pursue our definition a little further.

"A nation," says Milton (and the same is true of a commonwealth), "ought to be as one huge Christian personage, one mighty growth or stature of an honest man, as big and compact in virtue as in body, for look what the ground and causes are of single happiness to one man, the same ye shall find them to a whole State."

And Burke affirms that "the State ought not to be considered as a partnership agreement, to be taken up for a little *temporary* interest, and dissolved at the fancy of the parties. It is to be looked on with other reverence, because it is not a partnership in things subservient to the gross animal existence of a tem-

porary and perishable nature. It is a partnership in all *science;* a partnership in all *art;* a partnership in *every virtue*, and in all perfection."

"The State," says Lieber, "is a form and faculty of mankind to lead the species towards a greater perfection." From these brief expositions it will be seen that the State may antedate all specific forms of constitutions and governments; it adopts the one and organizes the other as convenient and, perhaps, necessary instruments for carrying into execution the objects of its own existence.

And it is of this original, necessary, continuous, identical organization of human society, that the question is propounded, "What are its rights and duties in relation to the important subject of Education?" The administration of to-day may have for its immediate and specific duty the completion of some great enterprise of internal improvement, the reorganization of the judiciary, or some other department of government, or the revision and codification of the laws of the State; but these duties are temporary and occasional, and pass away with the doing of them. But the paramount obligation of the State to provide for the education of each and every succeeding generation grows out of an imperative and never-ending duty. If the ground and reason of this duty be demanded of us, we have only to answer, that it arises out of the correlative right, possessed by the State to do, and require to be done, whatever is necessary for its orderly development and its highest good. And for these purposes the State is clothed with powers which it cannot omit to exercise, without moral guilt, any more than the individual citizen can neglect to employ the faculties with which he is endowed for his own welfare and that of those with whom he is associated in the various relations of life. Now, it is among the common-places of the subject to remark, that education tends to diminish or prevent vice and crime, and consequent poverty; three formidable evils which imperil the safety and welfare of the State. And therefore, from the simplest application of the law of self-defence, or self-preservation, arise the right and duty on the part of the State to provide for that kind and degree of education which will most effectually guard the State from the consequences of these primal and destructive evils. But the right and duty of the State to

furnish the means of education to the people are not to be measured and limited by the law of self-preservation alone. It is not enough to teach the child to avoid vice: he must be taught what virtue is, and how to practice it. That would be a very defective system of education which should expose the wickedness of crime, but fail to make manifest the beauty of loyalty to the State, and the duty of willing obedience to its laws, and a ready acceptance and performance by every citizen of his share of the burdens and responsibility of carrying the State forward in every virtue, and to all perfection.

Let us, then, proceed to consider what that education is, or should be, which it is the right and duty of the State to provide for, and in what manner that right is to be asserted and the duty performed.

It is, I think, no longer regarded as an open question in any of the States of this Union, certainly not here in New England, that primary education should be provided for in public schools, supported by equal taxation, or by a permanent fund supplied by the State, or in part by both.

But passing beyond the primary schools, we come immediately upon what some regard as debatable ground; for there are those, even among the professed friends of popular education, who deny the right to maintain by general taxation, or other appropriations of the public funds, high schools, technical schools, academies, colleges, and universities, which, though open to all alike, are never entered, it is said, except by comparatively few.

And now, leaving that part of the subject, which is not a matter of controversy, to wit, the right and duty of the State to maintain schools for primary education, I affirm, first, that it has been the settled and prevalent policy of these States, as well as of the general government itself, to grant State or governmental support to schools of every grade, from the primary up to and including the university; and, furthermore, that this was the accepted theory and practice of the colonies before the States were organized as they now exist. And, secondly, I shall contend that this policy should not now be abandoned, but, on the contrary, should be continued and extended, to meet the growing necessities of the greatly enlarged and ever-expanding field of human knowledge and acquisition.

I should not feel justified in consuming the time of the Association, this morning, by reading the numerous extracts I have made from the laws and constitutions of the several States, and of the United States, in support of my first proposition. I shall therefore content myself with presenting only a small portion of the proofs from these ample sources of evidence. But first let me call attention to the large and liberal views upon the subject in hand of some of the first minds, who laid so deep and broad the foundations of these States, that no madness of faction, nor lawless spirit of revolution, has yet been able to overthrow them.

These wise builders of empire foresaw that the welfare and continued existence of the State demanded, not only that knowledge of a rudimentary character should be widely diffused among the people, but that public provision should be made for the acquisition of those higher ranges and degrees of knowledge, without which the State can never attain that mighty growth and stature of an honest man embraced in Milton's just description of what a State should become.

In his work on government, John Adams declares that "the instruction of the people, in every *kind* of knowledge that can be of use to them in the practice of their moral duties as men, citizens, and Christians, and of their political and civil duties, as members of society and freemen, ought to be the care of the public, and all who have any share in the conduct of its affairs. The education here intended is not merely that of the children of the rich and noble, but of every rank and class of people, down to the lowest and poorest. It is not too much to say, that schools for the education of all should be placed at convenient distances, and maintained at the public expense. The revenues of the State would be applied infinitely better, more charitably, wisely, usefully, and therefore politically, in this way, than even in maintaining the poor. This would be the best way of preventing the existence of the poor."

Again, he says in the same work: "Laws for the liberal education of youth, especially of the lower class of people, are so extremely wise and useful, that, to a humane and generous mind, no expense for this purpose would be thought extravagant."

"A popular government," says Madison, "without popular

information, or the means of acquiring it, is but a prologue to a farce or tragedy, or perhaps to both. Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power which knowledge gives. . . . . No error is more certain than the one proceeding from a hasty and superficial view of the subject: that the people at large have no interest in the establishment of academies, colleges, and universities, where a few only, and those not of the poorer classes, can obtain for their sons the advantages of superior education. It is thought to be unjust, that all should be taxed for the benefit of a part, and that, too, the part least needing it.

"If provision were not made at the same time for every part, the objection would be a natural one. But besides the consideration, when the higher seminaries belong to a plan of general education, that it is better for the poorer classes to have the aid of the richer, by a general tax of property, than that every parent should provide, at his own expense, for the education of his children, it is certain that every class is interested in establishments which give to the human mind its highest improvement, and to every country its truest and most durable celebrity.

"*Learned institutions ought to be favorite objects with every free people.* They throw that light over the public mind which is the best security against crafty and dangerous encroachments on the public liberty. . . . .

"But why should it be necessary, in this case, to distinguish society into classes, according to their property? When it is considered that the establishment and endowment of academies, colleges, and universities are a provision, not merely for the existing generation, but for succeeding ones also,—that in governments like ours, a constant rotation of property results from the free scope to industry, and from the laws of inheritance,—and when it is considered, moreover, how much of the exertions and privations of all are meant, not for themselves, but for their posterity,—there can be little ground for objections from any class to plans of which every class must have its turn of benefits. The rich man, when contributing to a permanent plan for the education of the poor, ought to reflect that he is providing for his own descendants; and the poor man, who concurs in a provision for those who are not poor, that at no distant day it may

be enjoyed by descendants from himself. It does not require a long life to witness these vicissitudes of fortune."

The views of Jefferson upon the same subject may be found clearly expressed in a bill early prepared by him for the Legislature of Virginia. It provided for a system of common schools, and also for ten colleges, one for each of the ten districts into which the State was to be divided, and for one university for the sciences. Unfortunately for that great State, this comprehensive system of schools for the education of its people in the lower and higher branches of knowledge was not adopted at the time, and was only in part realized many years afterwards, through the persistent efforts of Mr. Jefferson, in the founding of what is now known as the University of Virginia, and in a very inadequate provision for the support of common schools. These sagacious and far-reaching views as to the necessity and extent of popular education were by no means peculiar to the eminent statesmen and scholars whose words I have quoted, as could easily be shown by liberal quotations from the writings of many of their most distinguished contemporaries. They are the deliberately expressed opinions of men by whose wisdom and foresight states were formed and a nation created, which can only be destroyed when the descendants of the founders shall forget the wisdom, and cease to practice the self-denying virtues of their fathers. The founders of our institutions clearly perceived that popular government could not rest securely on popular ignorance, and that *knowledge*, and not merely the rudiments of it, generally disseminated among the people, is essential to the stability of that form of government which depends for its existence on the will of the governed. Nor were these views first entertained and expressed by the founders of our Republic. They were among the rich inheritances of civil wisdom derived from the colonial period of our history, as shown, among other proofs, by the celebrated ordinance passed in the year sixteen hundred and forty-seven, by the general court of the Massachusetts Colony, and which is too familiar to need quotation before this well-informed assembly.

This ordinance, it will be remembered, was founded on the assumed right of the State to require that schools shall be supported by public taxation, wherein the youth of the State, whether they be the sons of tax-paying or non-tax-paying

parents, may be educated in the higher branches of learning, and fitted to pursue still further their studies in the university.

And it is well-known history, that at a date earlier than that of the ordinance to which reference has just been made, the colonial legislature gave to Harvard University five hundred pounds, which was only the first of a series of benefactions that venerable institution has received from the State, and which, if her necessities require it, and her devotion to the cause of sound learning and civil wisdom render her deserving of the public confidence, should be repeated as new exigencies arise; not, indeed, primarily or ultimately for her special benefit, but that the light of all science, and art, and literature, may be shed abroad over her wide constituency. And this public munificence should not be confined to this, but extended to other similar institutions, so that the latest and best results of study, investigation, and discovery in every department of knowledge shall be brought within the reach of all, and no longer remain the peculiar possession of a few.

In the Constitution of Massachusetts, adopted nearly one hundred years ago, will be found this declaration of principles:—

"Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties, and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this Commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them, especially the university at Cambridge, public schools, and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country."

Substantially the same declaration may be found in the constitution of New Hampshire, and I know not in how many other of the State constitutions. I may have occasion, in a later stage of this discussion, to refer again to these constitutional declarations. I only desire now, in passing, to remind you, that these are not the opinions of an accidental and temporary majority,

of a sect or party, but are rather the solemnly expressed and long-cherished principles of a whole people; and also to observe, that the duty on the part of the State to promote the cause of education is placed on the same footing precisely as that of promoting trade, commerce, and manufactures. And when you recall how much has been done by the State and general governments to foster and advance these material interests, you will be furnished with a standard by which to measure the extent to which the State may properly go in the support of its institutions of learning. Indeed, in no other way can the State so certainly promote trade, commerce, manufactures, and agriculture, as by bringing within the reach of those who are to engage in these great industries the means of a liberal education. I do not use the term liberal, in this connection, in any technical or narrow sense. I mean an education which shall not only enable its possessor to perform with skill the manual exercises of his trade or vocation, but which shall also enable him to comprehend and fully understand the laws and principles of that trade or vocation, and all related subjects.

Massachusetts, at the close of the last century and the beginning of the present, made liberal grants of her public lands, situated in what was then the district of Maine, to numerous academies established in nearly every county of the State; and from time to time the State has made grants of money to Harvard, as I have already stated, and also to other colleges in the Commonwealth; and, within the last twenty years, has made repeated appropriations to that department of Harvard University which was created and presided over by the peerless Agassiz A liberal grant of land by the State was also made to the School of Technology, in this city; and within the last decade a grant of $50,000 from the State treasury was made to the School of Industrial Science, in the city of Worcester,—a school, allow me to say, which, though recently founded, has already sent forth several classes of young men competent to conduct with intelligence and skill almost any of the numerous branches of industry upon which the wealth and material prosperity of the State so largely depend; so that the State—I do not mean the State treasury, but the *State* in a better sense—has received more than an equivalent for its grant of money.

In addition to the evidence contained in the laws and consti-

tutions of the States, from which I have made large extracts, but now pass without reading, to show that it has been the prevailing and settled American doctrine and policy to use the public funds for the support of schools of the higher as well as of the lower grades, the fact may be stated, that from the passage of the celebrated ordinance of 1787 to the present time, Congress has granted and reserved millions of acres of the rich public domain for both classes of schools; and within the last decade and a half has granted many thousand acres to each State in the Union for the special purpose of founding and supporting agricultural colleges. And it is in pursuance of the same policy, and founded on the same right in the State, that laws have been enacted authorizing towns and cities to raise money by taxation for the establishment of public libraries; which is only another mode of providing means for the education of the people, and thus, in the language of the sage of Montpelier, "throwing the light of knowledge over the public mind."

This imperfect review of the colonial and of the federal and state legislation during the entire period of our constitutional history, including, especially, the wise provisions found in the constitutions of most of the States, establishes beyond controversy the fact, that the people of this country have from the beginning believed, and acted upon the belief, that it is both the right and duty of the State to provide funds for the endowment and support of schools of the higher as well as of the lower orders. And this policy has been steadily pursued with the clear understanding, that although the higher institutions thus endowed were open to all, yet that but comparatively few would ever enter their halls or derive direct personal benefit from them. The founders of these States—the far-seeing authors of our early institutions—did not seek to adapt their plans to the narrow wants and necessities merely of their own day and generation: they built for all time, and hoped the republic they were founding would be perpetual; and therefore founded it upon the rock of unchanging principle, and not upon the shifting sands of a temporary and selfish expediency. And what well-informed student of our constitutional and legislative history will now venture to affirm, that the men who laid so securely the foundations of our political institutions, acted

under some misapprehension of the rights of the State in their comprehensive provisions for the education of the people? And shall the policy they inaugurated be abandoned as unwise and indefensible, at a time when the boundaries of knowledge are almost indefinitely extended, and the necessity for schools of liberal endowments correspondingly increased? In no age of the world has the truth that "knowledge is power" been so manifest as in the present; and that nation which shall maintain the most advanced system of popular education in the arts and sciences will in the end triumph over all competitors, as has been conspicuously shown within the last few years in the national contests of Europe, both in peace and war. And if New England would maintain its position of power and influence among the States of this ever-expanding Union, it can only be done by maintaining and placing within the reach of all the people institutions of superior education. It is within the memory of living scholars when the declaration that this was an open or debatable question would have been listened to with surprise and an emphatic dissent by every friend of popular education. But indications have not been wanting in certain influential quarters within the last few years of a purpose to overthrow or essentially modify the liberal policy of our fathers in regard to the public provision of means and opportunities for the education of all classes of the people in all departments of useful knowledge. I find some evidence of this purpose in a letter, recently published, from the president of our oldest and, in some respects, most distinguished college, addressed to a professor in a Southern university. The distinguished author of this letter says:—

"I am *not* in favor of supporting schools above the grammar-school grade completely by taxation. I hold that the parents of children who go to high schools should contribute a part of the cost of maintaining such schools. Suppose, for example, that the high school in a city of 40,000 inhabitants costs $30,000 a year, besides the interest upon the city's investment in land, buildings, and equipment for the school, and that there are 500 children in the school, I think it more just and expedient that the parents of each child should pay $40 or $50 a year for their child's great privilege, than that the city should bear the whole charge, provided the city maintain a certain number of free

places for the promising children of persons too poor to pay a tuition fee."

. . . . . .

"Elementary education is of direct and universal benefit, and is not only a legitimate, but the most legitimate public charge. . . . . Diffused elementary education is one of the essential conditions of the formation of that sound national character, upon which the safety of our political institutions does absolutely depend. But the secondary and superior education seem to me to stand upon a different basis. They, too, are *necessary* to the State; but the selected individuals who receive such prolonged training profit so much personally, that they or their parents should pay part of the cost. Let the great majority of parents who can afford it pay a part of the cost of their children's education, and let the meritorious scholars, whose friends are too poor to pay for them, have help from the public purse proportioned to their needs."

This language of the eminent scholar who wrote that letter presents a striking contrast to that of the eminent statesman whose words on the same subject were quoted in the early part of this address, and who was one of the wisest that sat in counsel at the formation of our present federal constitution, and who, after passing through many of the lower but conspicuous grades of the public service, acquiring *practical* knowledge and civil wisdom as he advanced, finally rose to the exalted position of chief magistrate of the nation; and from that vantage-ground of observation declared it was right, equitable, and expedient, that the State should provide for the higher as well as the primary education of the youth of a people who would be free, and at the same time be capable of self-government. Does not the reasoning of our modern scholar proceed upon a too limited view of facts, which must be taken into account before any safe or proper conclusion can be reached? Government touches and affects the governed in a thousand different ways, and its whole scope and purpose must be kept in view if we would judge correctly of any one of its operations.

If we were to regard alone the exercise of power on the part of government, in taxing the whole people for the support of schools, from which comparatively few only of the people will be directly benefited, we should have less difficulty in demon-

strating its injustice. But no one would reason thus who is accustomed to contemplate government in action, and to study its manifold and complex operations. There never was, and in the nature of things cannot be, a law authorizing a direct or indirect tax which will operate with equal fairness upon the whole tax-paying portion of the people. There never was any considerable appropriation of public money for a general purpose from which some did not derive more and some less than an equal share of benefit.

To determine whether a law or a policy of government is just or not in its operation, it becomes necessary not only to examine the provisions and operation of the single law in question, but the whole system of which it forms a part must be examined, and its place in and its relation to the whole observed. On what principle, for instance, does the general government maintain a post-office department, at an annual expense of many millions of dollars beyond its receipts, when it is well known that in the New England and Middle and some of the Western States the revenues of the department are more than sufficient to pay the expenses in those States, and that the surplus, with millions more drawn directly from the public treasury, go to support a non-paying mail service in the Southern States, and in other sparsely settled portions of the country. What justice is there in compelling one citizen to pay for transporting the correspondence of another? Why tax one class of States to furnish mail facilities to another class of States? The argument is long, but the conclusion may be briefly stated, that this department of government, which at first view rests upon such apparent injustice, is maintained on the principle that the general welfare is promoted by this uniform and well-regulated system of communication for all the people, and between the different sections of the country; and also because those parts of the country which are taxed to support this department may derive peculiar benefits from the operation of other laws, or in the administration of other departments of government.

Recently, the large award of five millions and a half of dollars was made against our government, and which is to be paid out of the federal treasury, for benefits secured by treaty for a single and limited branch of industry in which only comparatively few of our people ever engage. Why should the

industry and resources of the whole country be taxed for that from which so few can ever hope to derive any direct pecuniary benefit? It is because the whole country will derive indirect benefit from the successful prosecution of this industry by a few, just as the whole community cannot fail to be indirectly benefited by the superior education of even a few only of its members.

In like manner, it may be asked, How can the Act of Congress be justified which granted with more than imperial munificence alternate sections of the public lands, amounting to millions of acres, to the Pacific railway corporations, to aid in the construction of their roads? It is not enough to say, that by the construction of this great international work, other portions of the public lands will be brought into an earlier and more profitable market, or that the road will or can be used by the government for military or other governmental purposes.

These gigantic corporations, with their railway reaching from the rising to the setting sun, will derive from these grants of land incalculable and peculiar benefits not participated in by the citizens generally, or by the government; and if this act of the government were alone to be the subject of our inquiry, we should say there had been a most profligate, if not corrupt, waste of public property. But when we raise our contemplation to a broader view of the subject, and see how important to the whole country that the distant portions should be bound together and brought into easy and rapid communication, we easily reconcile the apparent partial evil with the universal good. Again, there is not an act of the general government establishing a light-house at any point along our extended seaboard, and whose lights are kept nightly burning at the public expense, to guide the mariner engaged in private enterprises of commerce over the perilous deep to and from his destined harbor, that could not be assailed with equal justice and upon the same ground as the laws for the support of high schools and other institutions of superior education, by equal taxation, or by an appropriation of the public funds.

We have seen that the same articles of the State constitutions which authorize and enjoin upon legislatures the duty of encouraging and promoting trade, commerce, manufactures, and agri-

culture, also demand that they shall at all times encourage and promote education, and all seminaries thereof.

Under authority derived from one of these constitutional provisions, the Commonwealth of Massachusetts has expended nearly or quite $18,000,000 to build four or five miles of railroad under and through one of the mountains on her western border, which had thrown its huge and obstructive mass directly across the track of trade between the boundless fields of the West and the metropolis of New England. Shall it be said that a State which has the power and can afford to lavish its millions on such a gigantic scheme for promoting trade, may not and cannot, without injustice, raise money by taxation to support high schools, without, at the same time, requiring that those who have wealth shall, in addition to their taxes, pay a further sum of $40 or $50 before their sons and daughters can be admitted to the privileges of the school; and that the children of the poor, endowed with some genius, can only approach these stately and exclusive temples of knowledge and humbly petition for a free ticket of admission?

This, as it seems to me, is a wholly un-American doctrine, and at war with the very genius of our institutions, and will never be adopted here until the people are prepared to reverse and repudiate the declaration of principles which lie at the foundation of our system of government; and, moreover, its practical adoption would work an entire change in the character of our high schools, and, in the end, destroy them altogether as a part of the public-school system. Parents contributing their full share towards all the public burdens will never consent to pay, in addition thereto, a discriminating tax before their children can be admitted to the privileges of the *public* schools, and the children of the poor will never consent to enter these institutions upon conditions so humiliating to freemen and equals.

And why, in the language of Madison, should we here, in the realm of knowledge, or in the public provision for the education of all, divide society into classes upon the ever-vanishing line of rich and poor.

The poor, it is said, are always to be with us, but this is a condition of the race. The individuals who are poor, and the individuals who are rich, are constantly changing places.

The primitive rocks are sometimes, by the action of internal forces, thrown up into mountain heights, and from this elevation among the clouds look down upon and dominate all the subject plain; so talent and genius among the poor will, by their own inherent power, force their way up through all the incumbent weight of poverty, obscurity, and neglect into positions of influence and power; and they have, at least, the right to ask that the government, whose affairs in after-years they will come to administer, shall not, in its public schools and at the very start of life, treat them as objects of a degrading charity. The poor son of a poor New Hampshire farmer and the man who sat for many years in the Senate of the United States without an intellectual peer was the same person. And will the lesson never be learned, that rights are not purchased by money alone? The citizen who has served, or is liable to be called on to serve his country in the time of its peril, has earned the right to have his children enter every public institution of learning upon terms of absolute equality. This matter of providing free seats in our public schools for "the meritorious poor" is a wholly different affair from that of providing free scholarships in colleges and universities, as might easily be shown did time permit or the exigence of the argument require it. But I dismiss the topic, in the confident belief that we are not yet quite prepared to forsake the wisdom and example of our fathers, and to found our schools of learning, not upon the permanent and enduring qualities of character and rights, but upon the accidental and ever-shifting distinctions arising from external possessions. And I trust the time is not far distant when the revenues and credit of the State will not be so exclusively directed to the increase of material wealth as a direct object, but that this vast power of public credit may be more liberally used to supply the intellectual wants of the present and succeeding generations.

The line of railway connected with the portion upon which I stated a few moments since the State of Massachusetts had expended so many millions runs, near its termination at the sea, under the classic shades of Harvard; in its middle course it passes within sight of the towers of Amherst; and after emerging from the mountain on its western course, it enters and skirts the beautiful valley where stand the modest but his-

toric halls of Williams. Would it not have been a more judicious expenditure of the public money had a part of the vast amount expended on this one enterprise of opening a new avenue for travel and traffic from the interior to the seaboard been granted to these honored institutions of learning? I am sure it would have done more to exalt the character of the State, and, in the end, would have made more sure and permanent the material prosperity of the people.

The right to make these public grants to promote the intellectual progress of the Commonwealth is beyond question, and if the intelligent friends of education would combine, as do the sons of trade when they have resolved upon an enterprise too great for individual wealth and effort, the light of science would not be so often dimmed, or hidden altogether, even in her chosen seats, for the want of oil in her lamps. The objection that these grants to schools cannot be justified, for the reason that they would not be equally beneficial to all, might with as much propriety be made against other acts; indeed, against the operation of whole departments of government, as has already been shown by examples of the unequal operation of particular laws, and which illustrations could have been indefinitely multiplied. Every righteous human government is like an encompassing providence extending its protection over all and dispensing its blessings with an impartial hand; but those blessings are not the same to all either in character or in the time and manner of their dispensation; as well might men complain of the clouds of heaven because every April shower that happens to fall upon their neighbor's fields does not also send its refreshing rains upon their own, as to charge with injustice every law or policy of government that does not confer equal benefits upon all.

It seems like trifling with a great subject thus to select portions of a majestic whole for special and adverse criticism. Human governments, like the Divine, when comprehensively studied, will be found pervaded by the great law of compensation, and the parts can never be rightly understood except when viewed in their proper relations to the whole. Before finally dismissing this part of the discussion, let me say, what is entirely true, that the public support of high schools and technical schools, wherein the youth of the land may be taught the arts of peace and the duties of civil life, is based on the

same principle and justified by the same course of argument, as the governmental support of the two technical schools at West Point and Annapolis, in which a few selected young men are instructed in the art and discipline of war. Every community of men organized under any form of government needs, and must have, individuals educated and competent to administer its civil as well as its military affairs. And this is eminently true under such a government as ours,—"a government of the people, by the people, and for the people,"—where every State, county, city, town, and school district in the land requires educated men to assume important places of trust and responsibility, and to conduct with intelligence the infinitely complicated affairs of such a popular government. And shall it be said, that a government thus needing for its own existence and successful administration educated men, cannot lawfully, and without injustice, provide schools for the necessary education and training of such men. Again, I may remind you of another truth, almost too trite for remark, that every high school, or other school for secondary education, excites a beneficial and elevating influence upon all schools of lower grade in the town or vicinity where it is located. And thus the whole school population are more or less directly benefited. It is time, however, to bring the discussion of this branch of the subject to a close, as I do by observing that there are three principal methods or ways by which the State can directly promote the cause of education.

First. By the endowment and management of schools by the State itself;

Secondly. By grants to schools established by individuals or private corporations; and—

Thirdly. By authorizing and requiring the people to support schools by general and equal taxation.

In some of the States of this Union the first method has been adopted so far as to establish what are called State universities. And why should not every State not now furnished with such a university or its equivalent, maintain within its borders an institution so richly endowed, that the youth of the State might there pursue, with the aid of every appliance and improvement of modern art, science, research, and letters, every useful branch of human knowledge? How has it come to pass that

countless millions have been freely expended within recent years, and that, too, in part by the direct aid of the State and federal governments, to develop the material wealth of the State and nation, while many, if not most of our colleges and higher seminaries of learning have been left to struggle on in comparative poverty? This is due, in part, I have no doubt, to the failure of those intrusted with the management of public affairs to discern the real connection between the enduring prosperity and true glory of a people and superior knowledge; but more largely still to a misapprehension of the true grounds on which these public grants to institutions of learning are to be claimed and justified.

It is too late to deny that superior education is *necessary* to the State, and it is precisely on this ground of State necessity that the grants to, and public support of, schools should be made and given, and not on the ground that they are mere benefactions to the grantees.

But whatever may be said or done in relation to State aid to schools of the highest grade, the American people can never safely surrender the principle or practice, that schools must be maintained at the public expense for the education of all youth who will avail themselves of these advantages up to that degree of knowledge and virtue which will enable them to discharge with intelligence and fidelity their duties as citizens of a free and self-governing Republic.

"By the word education," says Horace Mann, "I mean much more than the ability to read, write, and keep common accounts. I comprehend under this noble word, such a training of the body as shall build it up with robustness and vigor, at once protecting it from disease, and enabling it to act formatively upon the crude substances of nature. I mean also to include such a cultivation of the intellect as shall enable it to discern those permanent and mighty laws which pervade all parts of the created universe, whether material or spiritual; and finally, by the term education, I mean such a culture of our moral affections and religious susceptibilities, as in the course of nature and Providence shall lead to a subjection or conformity of all our appetites, propensities, and sentiments to the will of heaven."

And this is the education for which the State should make

adequate provision; and there is no other agency by which the great work can be accomplished. The magnificent gifts of Mr. Peabody for promoting popular education in the South, when actually applied to that vast region of ignorance and vice, seems only like the prelusive drops of a promised shower falling upon the arid waste of some mighty desert. The education of a whole people can only be adequately provided for by an annual or periodical taxation of the entire wealth of the country. It never has been done in any other way, and unless all the conditions of social and civil life are changed it never will be. John Adams, as long ago as 1785, in a letter to one of his foreign correspondents, said, writing upon the subject of education: "The whole people must take upon themselves the education of the whole people, and must be willing to bear the expenses of it. There should not be a district of one mile square without a school in it, not founded by a charitable individual, but maintained at the expense of the people themselves. They must be taught to reverence themselves, instead of adoring their servants, their generals, admirals, bishops, and statesmen." These noble sentiments are fit to be inscribed in golden letters over the portals of every school-house in the land, as a standing rebuke and protest against the destructive teachings which would place our schools under the control of sects, or found them upon the infinitely belittling and degrading distinction growing out of the possession of a little more or less of wealth by their immediate patrons.

Our fathers valued institutions of learning, and said they ought to be favorites with every free people, because they throw that light over the public mind which is the best security against crafty and dangerous encroachments on the public liberty, and therefore they did not fail to employ the power, influence, and property of the State to found and support these institutions. Let us build on their foundations, and not attempt to lay others less broad and less permanent.

In closing, I cannot forbear to make a single additional remark upon the glaring inconsistency, not to say folly, of that policy which would expend millions from the public treasury upon military and naval schools, wherein, as has been shown, a limited number only of young men may be instructed in the arts of war, and yet deny to other technical schools, wherein

the arts of peaceful industry are taught, all State aid or governmental support. Multiply the latter, fill the land with their light and influence, and you will dispense to a great extent with the necessity of the former. It is knowledge, large and liberal, and not the mere rudiments of it, that is essential to a free government, and to purity and efficiency in its peaceful administration; and we should never forget that the great end and object of secular education is, not to make grammarians and literary critics, but to prepare the young for the sturdy and manly duties of citizenship, and to make them the intelligent and inflexible defenders of rational liberty.

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